

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **AGENDA FOR SPECIAL CITY COUNCIL MEETING**

---

**February 12, 2007**  
**10<sup>th</sup> Floor Conference Room, City Hall**  
**4:00 p.m.**

**AGENDA:** Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, February 13, 2007. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

---

**February 13, 2007**  
**Council Chambers, City Hall**  
**8:30 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Reverend Lisle Davis**  
**Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. NATIONAL LULAC WEEK**
- 2. EL PASO GOLDEN GLOVES WEEK**
- 3. ASCARATE FISHING CLUB OF EL PASO COUNTY**

### **RECOGNITIONS**

#### **EMPLOYEE RECOGNITIONS**

### **CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/muni\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/muni_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

### **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

### **CONSENT AGENDA**

1. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of February 6, 2007, and the Special City Council Meeting of February 5, 2007 (Agenda Review).

2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

3. **RESOLUTIONS:**

**3A.** That the City of El Paso hereby approves of the donor plaques proposed for the base of the Equestrian by the Twelve Travelers Memorial of the Southwest (the "XII Traveler's Board") attached to this Resolution as Exhibit 1 as required by the Seventh Amendment to the XII Travelers Commission Agreement; and that the XII Traveler's Board is hereby authorized to pursue the completion and installation of such donor plaques on the base of the Equestrian. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

**3B.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

8700 Pell Way	\$25,146.17	District 7
Eduardo Sanchez and Velia Sanchez		
<b>(District 7)</b> [Development Services, William Stern, (915) 541-4800]		

- 3C. Approve a Resolution that the City Manager be authorized to sign a contract with the El Paso Hispanic Chamber of Commerce for \$90,000 for Fiscal Year 2007 for Small Business Technical Assistance (\$66,000) and Revolving Loan Fund Administration (\$24,000). **(All Districts)**  
[Economic Development, Kathryn Dodson, (915) 541-4872]
- 3D. That the City Manager be authorized to sign an Employment Agreement between the City Of El Paso and Victor Venegas to employ Victor Venegas as an Economic Development Marketing and Outreach Coordinator for the Economic Development Department at a biweekly rate of \$1,923.08. The term of the contract shall be for the period of February 14, 2007, through February 13, 2008. **(All Districts)** [Economic Development, Kathryn Dodson, (915) 541-4872]
- 3E. That the City Manager is authorized to sign a Lease Agreement between the City of El Paso and the El Paso Center for Mental Health and Mental Retardation Services, El Paso, Texas, for a parcel of City land being Lots 23-32, Block 135, East El Paso Addition, City of El Paso, El Paso County, Texas, and commonly known as 3410 Morenci Street, El Paso, Texas. **(District 8)**  
[Financial Services, Gonzalo Cedillos, (915) 541-4074]
- 3F. That the City Manager be authorized to sign an Employment Agreement between the City of El Paso and Edward J. Ozogar to employ Edward J. Ozogar as a PC LAN Specialist III for the Information Technology Department at a biweekly rate of \$1,961.53. The term of the contract shall be for the period of February 18, 2007, through February 17, 2008. Funding Source: 39010348-501011-01101. **(All Districts)** [Information Technology, Gerald Gordier, (915) 541-4288]
- 3G. That the City Manager be authorized to sign an Employment Agreement between the City of El Paso and Isaura Valdez to employ Isaura Valdez as a Financial and Benefits Systems Administrator for the Office of Management and Budget at a biweekly rate of \$2,307.70. The term of the contract shall be for the period of February 13, 2007, through February 12, 2009. Funding Source: 04010020-501011-01101. **(All Districts)**  
[Office of Management and Budget, David Almonte, (915) 541-4011]

#### 4. SPECIAL APPOINTMENT:

Request to confirm the appointment by the City Manager of R. Alan Shubert as City Engineer (provisional) effective February 13, 2007. **(All Districts)**  
[City Manager, Joyce Wilson, (915) 541-4844]

#### 5. BOARD APPOINTMENTS:

- 5A. Russell C. Smith to the Brownfields Redevelopment Board by Mayor John Cook.  
[Mayor John F. Cook, (915) 541-4145]
- 5B. Roxanne Varela to the Cultural Affairs Advisory Board by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]
- 5C. Richard Anthony Cordova to the Zoning Board of Adjustment by Mayor John Cook. [Mayor John F. Cook, (915) 541-4145]

- 5D.** Tony Payan to the Committee on Border Relations by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]

**6. PURCHASING REQUEST TO ISSUE PURCHASE ORDER:**

Request that the Purchasing Manager for Financial Services be authorized to issue a Purchase Order to Intergraph Corporation, the sole source provider, for maintenance services of the City's ILEADS software. This software is the records management software used by the Police Department to manage police records.

Department: Information Technologies  
 Award Amount: \$110,056.90  
 Account No.: 39010351 – 01101 - 502202  
 Funding Source: Information Technologies, Operating Account, Data Processing Services  
 Sole Source No.: 2007-075  
**(All Districts)** [Financial Services, Terrence Freiburg, (915) 541-4313]

**7. BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2007-070 (Janitorial Service-Central Police Regional Command Center and Police Headquarters) to The Eagle Janitorial Services for a total estimated award of \$294,376.68.

Department: General Services, Building Maintenance Division  
 Award to: The Eagle Janitorial Services  
 El Paso, TX  
 Item(s): 1 and 2  
 Option: 2 years; one year at a time  
 Annual Estimated Amount: \$98,125.56  
 Account No.: 31010325 – 01101 - 502206  
 Funding Source: Operating Account Janitorial Contracts  
 Total Estimated Award: \$294,376.68  
**Districts: All**

Vendor offers the City a prompt payment discount of 3%-20 days.

The Departments of Financial Services and General Services, Building Maintenance Division, recommend award to the vendors offering the best value bid.  
 [Financial Services, Terrence Freiburg, (915) 541-4313]

**8. BIDS:**

- 8A.** Request that the Purchasing Manager for Financial Services be authorized to purchase two additional pothole patch trucks pursuant to Option A of Contract No. 2007-043 (Pot Hole Patch Truck) with Border International Trucks for a total award of \$231,822.00.

Department: Streets  
 Item(s): #1 and options 0-3, 0-4, 0-8, 0-9, 0-10  
 Qty. 2 @ \$115,911.00 each  
 Account No.: 508006 – 14200500 – 27264 - PSTM06 - PW555  
 Funding Source: Capital Outlay for Vehicular Equipment

Total Award: \$231,822.00

**Districts:** All

[Financial Services, Terrence Freiburg, (915) 541-4313]

- 8B.** The award of Solicitation No. 2007-055 (221 Zaragosa Access Road Improvements) to J.A.R. Concrete, Inc., for a total estimated award of \$335,778.00.

Department: Streets

Award to: J.A.R. Concrete, Inc.

El Paso, Texas

Base Bid I: \$189,138.00

Base Bid II: \$ 70,970.00

Base Bid III: \$ 75,670.00

Total Estimated Award: \$335,778.00

Account No.: G7128CD0048 – 71150069 – 07785 - 508027

Funding Source: Community Development Block Grant

**District:** 7

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer or such person designated by the City Manager may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law, and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Engineering, and Streets recommend award as indicated to the lowest responsive, responsible bidder.

[Engineering Department, Irene Ramirez, (915) 541-4431]

- 8C.** The award of Solicitation No. 2007-061 (Automatic Transmission Fluid) to Big Bear Oil Company, Inc. and Stewart & Stevenson, LLC, for a total estimated award of \$300,000.00.

Department: General Services-Fleet Division

Award to: Vendor 1 Big Bear Oil Company, Inc.

El Paso, Texas

Item(s): 2A, 3A, 4A, and 5A

Annual Estimated Amount: \$50,000.00

Award to: Vendor 2 Stewart & Stevenson, LLC

El Paso, Texas

Item(s): 1A and 1B

Annual Estimated Amount: \$50,000.00

Account No.: 37370510 – 503121 - 45202

Funding Source: General Services-Fleet Division Internal Service Fund

Total Estimated Award: \$300,000.00

**Districts: All**

This is a requirements type contract with an initial term of thirty-six (36) months.

Vendor 1: Offers the City a prompt payment discount of 1% 10 days.

The Departments of Financial Services and General Services-Fleet Division recommend award as indicated to the lowest responsive, responsible bidder.  
[Financial Services, Terrence Freiburg, (915) 541-4313]

### **REGULAR AGENDA - INTRODUCTIONS**

#### **9. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

- 9A.** An Ordinance granting Special Permit No. ZON06-00127 to allow for an infill development on the property described as Lots 21-30, Block 103, Supplemental Map No. 1 of East El Paso, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.040 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: South of Bisbee Avenue and West of San Marcial Street. Applicant: Miguel Andrade Jr. ZON06-00127 **(District 8)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9B.** An Ordinance changing the zoning of a Portion of Tract 210, South Parkland Addition, City of El Paso, El Paso County, Texas, from C-2/SC (Commercial/Special Contract) to R-5/SC (Residential/Special Contract) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Transmountain and Cross Street. Applicant: Carefree Homes, L.P. ZON06-00143. **(District 4)**  
[Development Services/Planning, Arlan Greer, (915) 541-4322]
- 9C.** An Ordinance granting Special Permit No. ZON06-00144 to allow for a planned residential development on a Portion of Tract 210, South Parkland, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Transmountain and Cross Street. Applicant: Carefree Homes, L.P. ZON06-00144 **(District 4)**  
[Development Services/Planning, Arlan Greer, (915) 541-4322]

#### **PUBLIC HEARING WILL BE HELD ON MARCH 6, 2007, FOR ITEMS 9A - 9C**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public

hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

### **REGULAR AGENDA – PUBLIC HEARINGS**

#### **10. PUBLIC HEARINGS – DEVELOPMENT SERVICES:**

- 10A.** An Ordinance changing the zoning of a portion of Tract 3A, Section 21, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso County, Texas, from R-F (Ranch and Farm) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1366 Lomaland. Applicant: BMCW South Central, L.P. ZON06-00153  
**(District 4)** [Development Services/Planning, Melissa Granado, (915) 541-4730]
- 10B.** An Ordinance changing the zoning of Lots 27 and 28, and a portion of Lots 25, 26, and 29, Cinecue Park Subdivision, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 480 Yarbrough Drive. Applicant: Apostolic Assembly of the Faith in Christ Jesus, Inc. ZON06-0121 **(District 7)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 10C.** An Ordinance changing the zoning of Tracts 1O, 1O2, 1O3, 1O4, 1O5, 1O6, 1O7, 1O8, 1O9, 1P1, 1P3, 1Q, 1Q2, 1Q3, 1Q4, 1Q5, 1Q6, 1D1, 1D1A, 1D1B, 1D1C, 1D1E, Block 10, Upper Valley Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-2 (Residential) and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Gomez Road and West of Upper Valley Road. Applicant: UV Developers, LTD. ZON06-00126 **(District 1)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 10D.** An Ordinance granting a Special Privilege to the Kern Place Merchants Association to temporarily close portions of Cincinnati Avenue and Baltimore Avenue from February 20, 2007, through February 21, 2007, for a "Bourbon Street on Cincinnati Street Festival". (Fee: \$137.50, SPL06-00023) **(District 1)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 10E.** An Ordinance granting a Special Privilege to The New Old Plantation to temporarily close a portion of Ochoa Street from February 20, 2007, through February 21, 2007, for a "Mardi Gras Party". (Fee: \$137.50, SPL06-00024) **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

#### **11. PUBLIC HEARINGS –ENGINEERING:**

- 11A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at All Times on Certain Streets), of the El Paso City Code to add a new location on Firehouse Drive from Montwood Drive to a point 242 feet south, west side only. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 5)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 11B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection O (Speed Limits on Parts of Doniphan Drive (S.H. 20) and Mesa Street (S.H. 20 and U.S.B.R. 80), of the El Paso City Code to amend the speed limit on Mesa Street. The penalty is as provided in Section 12.84.010 of the El Paso City Code. **(Districts 1 & 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 11C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection A, of the El Paso City Code by adding a new location on Campbell Street between Arizona Avenue and Nevada Avenue, west side. The penalty being as provided in Section 12.88.180 of the El Paso City Code. **(District 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**12. PUBLIC HEARING – FINANCIAL SERVICES:**

An Ordinance authorizing the City of El Paso to sell a portion of Lots 10, 11, 16, 17, 34, and 35, Block 12, Sunset Heights, Second Revised Map, El Paso, El Paso County, Texas, to Don Luciano. **(District 8)** [Financial Services, Gonzalo Cedillos, (915) 541-4074]

**POSTPONED FROM 02-06-07**

**13. PUBLIC HEARING – PARKS AND RECREATION:**

An Ordinance amending and restating the Lease Agreement (the “Agreement”) entered into as of the effective date by and between the City of El Paso, Texas, a municipal corporation (hereinafter “City”), and the El Paso Independent School District (hereinafter “Lessee”). **(District 3)** [Parks and Recreation, Norman C. Merrifield, (915) 541-4910]

**REGULAR AGENDA – OTHER BUSINESS**

**14. MAYOR AND COUNCIL:**

- 14A.** That the City Manager be authorized to sign a 2007 Affiliate Event Agreement by and between the City of El Paso and The Texas Round-Up, Inc. to allow the El Paso Ciclo Via to be recognized as an official Affiliate Event of the 2007 Texas Round-Up and for the City of El Paso to actively promote the Governor’s Challenge Program. [Mayor’s Office, Sylvia Borunda-Firth, (915) 541-4656]

- 14B.** Discussion and action concerning the Hurricane Bar and Grill Night Club located at 1475 George Dieter Dr. [Representative Steve Ortega, (915) 541-4124]

**15. BUDGET TRANSFER:**

**BT2007-556 ENVIRONMENTAL SERVICES**

This budget transfer requests an appropriation increase to fund future major construction projects as follows: \$8 million for the closure of the old Clint cells 1 & 2; \$5 million for the new Northeast MSC building; and \$1 million to complete the renovation of the El Paso Dr. facility.

[Office of Management and Budget, David Almonte, (915) 541-4011]

[Environmental Services, Ellen A. Smyth, (915) 621-6719]

Increase	\$14,000,000	to	Bond Proceeds
Increase	\$14,000,000	to	Construction



**16. DEVELOPMENT AND INFRASTRUCTURE SERVICES:**

Council Ratification of the Storm 2006 on the following professional services contract. Such contracts were entered into by the City Manager under the authority granted by Council in the September 19, 2006 Resolution.

Contracts:

Design

Contract with ESSCO International for work on the Canterbury Drainage Channel Rehabilitation project for a total amount not to exceed \$200,000.00.

Construction

Baltimore Street / Glory Road Storm Sewer reroute awarded to JAR Concrete, Inc. in the amount of \$1,580,478.00.

[Development and Infrastructure Services, Patricia D. Adatao, (915) 541-4853]

**17. ECONOMIC DEVELOPMENT:**

Discussion and action regarding the granting of economic development incentives to AT&T by the City of El Paso.

**(All Districts)** [Economic Development, Kathy Dodson, (915) 541-4872]

**18. MUNICIPAL CLERK:**

Discussion and action on salary increases for the elected El Paso Municipal Court Judges and the elected El Paso Municipal Court of Appeals Judge, setting the annual salaries at:

El Paso Municipal Court Presiding Judge Regina Arditti: \$47,864

El Paso Municipal Court Judges David Bonilla, Max Munoz, Daniel Robledo, and Maria Ramirez: \$39,884

El Paso Municipal Court of Appeals Judge Odell Holmes: \$ 39,884

**(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**19. CITY MANAGER:**

City Manager's report of current events and issues:

**19A.** CCLP Initiative: Design Competition - El Paso/Juarez Bi-National Culture District.  
[Quality of Life, Deborah Hamlyn, (915) 541-4242]

**19B.** Briefing on Recommendations to Resolve Police/Firemen Pension Unfunded Liability. [Financial Administrative Services, Bill Studer, (915) 541-4215]

**19C.** Discussion and action on issues related to Storm 2006.  
[Development Services, R. Alan Shubert, (915) 541-4557]

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

**EX1. Rafael Gardon vs. City of El Paso; Cause No. 2003-493. (551.071).**  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550] **POSTPONED FROM 02-06-07**

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>